

Public Notification Requirements, Effective May 6, 2002

Tier 1 Violations and Other Situations Requiring Notice Within 24 Hours*

1. Violation of the MCL for total coliform, when *fecal coliform* or *E. coli* are present in the water distribution system, or *failure to test* for fecal coliform or *E. coli* when any repeat sample tests positive for coliform;
2. Violation of the MCL for *nitrate*, *nitrite*, or *total nitrate and nitrite*; or when a *confirmation sample* is not taken within 24 hours of the system's receipt of the first sample showing exceedance of the nitrate or nitrite MCL;
3. Exceedance of the *nitrate* MCL (10 mg/l) by non-community water systems, *where permitted* to exceed the MCL (up to 20 mg/l) by the primacy agency;
4. Violations of the MRDL for *chloride dioxide* when one or more of the samples taken *in the distribution system* on the day after exceeding the MRDL at the entrance of the distribution system or when required *samples are not taken* in the distribution system;
5. Violation of *the turbidity MCL* of 5 NTU, where the primacy agency determines *after consultation* that a Tier 1 notice is required or where consultation does not occur in 24 hours after the system learns of violation;
6. Violation of the *treatment technique* requirement resulting from a *single exceedance* of the maximum allowable turbidity limit, where the primacy agency determines after consultation that a Tier 1 notice is required or where consultation does not take place in 24 hours after the system learns of violation;
7. Occurrence of a *waterborne disease outbreak*, as defined in 40 CFR 141.2, or *other waterborne emergency*; and
8. Other *violations or situation* with significant potential to have serious adverse effects on human health as a result of short term exposure, as determined by the primacy agency either in its regulations or on a case-by-case basis.

* If your system has any of these violations or situations, in addition to issuing public notice, you must *initiate consultation with your primacy agency as soon as practical but within 24 hours* after you learn of the violation or situation.

Tier 2 Violations Requiring Notice Within 30 Days**

1. All violation of the *MCL*, *MRDL*, and *treatment technique* requirements *except* where *Tier 1* notice is required;
2. Violations of the *monitoring* requirements where the *primacy agency determines* that a Tier2 public notice is required, taking into account potential health impacts and persistence of the violation; and
3. Failure to comply with the *terms* and *conditions* of any *variance or exemption* in place.

** If you exceed the *maximum allowable turbidity level*, you must *consult with your primacy agency as soon as practical but no later than 24 hours* after learning of the violation.

Tier 3 Violations and Other Situations Requiring Notice Within 1 Year

1. *Monitoring* violations, except where Tier 1 notice is required or the primacy agency determines that the violation requires a Tier 2 notice;
2. Failure to comply with an established *testing procedure*, except where Tier 1 notice is required or the primacy agency determined that the violation requires a Tier 2 notice;
3. *Operation under variance* granted under §1415 or *exemption* granted under §1416 of the Safe Drinking Water Act;
4. Availability of *unregulated contaminant* monitoring results; and
5. Exceedance of the secondary maximum contaminant level for *fluoride*.